Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

Minutes November 15, 2013

A meeting of the Planning Commission of the City of Saint Paul was held Friday, November 15, 2013, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners

Mmes. Merrigan, Noecker, Perrus, Reveal, Thao, Wang, Wencl; and

Present:

Messrs, Connolly, Edgerton, Gelgelu, Nelson, Oliver, Schertler, and Ward.

Commissioners Absent:

Mmes. *Porter, *Shively, and Messrs. *Lindeke, *Makarios, *Ochs, Spaulding,

and Wickiser.

*Excused

Also Present:

Donna Drummond, Planning Director; Tom Beach, Department of Safety and Inspections, Allan Torstenson, Josh Williams, Hilary Holmes, Jamie Radel, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes November 1, 2013.

Chair Wencl announced that the minutes are not available at this time. However they will be ready for approval at the next Planning Commission meeting.

II. Chair's Announcements

Chair Wencl announced that this month's (APA) American Planning Association magazine talks about Saint Paul in terms of the Ford Plant, land reclamation and other automobile plants in other parts of the country.

III. Planning Director's Announcements

Donna Drummond announced that the City Council approved the Urban Agriculture zoning amendments. There were a few tweaks to what the Planning Commission had recommended. The Council was not comfortable with allowing sales of produce from vacant plots of land in residentially zoned areas more than a few times a year rather than what the Planning Commission recommended which was several times a week. There was also a minor change to the language on the need for building permits structures for structures over 120 feet, which include hoop houses. DSI will evaluate each application and determine if a permit is needed.

IV. Zoning Committee

SITE PLAN REVIEW - List of current applications. (Tom Beach, 651/266-9086)

One item to come before the Site Plan Review Committee on Tuesday, November 26, 2013:

■ Lowertown Ballpark, 351 East 5th Street. Plans are still being developed. The designers are looking for comments from the City on the current plans before preparing more detailed plans that will be submitted later for a formal site plan review.

OLD BUSINESS

#13-240-134 Brett Ripley – Reestablishment of nonconforming use as a 4 plex. 1685 Taylor Avenue West between Aldine and Charlotte. (Jamie Radel, 651/266-6614)

Commissioner Edgerton asked about the reason for the one "no" vote on the committee recommendation for denial.

Commissioner Reveal explained that she thought that there was ambiguity about the finding regarding reasonable use of the property. There was concern about it being used for student housing and she is a proponent of student housing. It seemed to her that a 4 plex it would be alright.

<u>MOTION</u>: Commissioner Nelson moved the Zoning Committee's recommendation to deny the reestablishment of nonconforming use. The motion carried 13-1 (Connolly) on a voice vote.

NEW BUSINESS

#13-243-575 Gracewood Assisted Living/Franciscan Sisters Site — Rezone from R3 One Family Residential to RM2 Multi-Family Residential. 1388 Prior Avenue S., NE corner at Norfolk. (Merritt Clapp-Smith, 651/266-6547)

<u>MOTION</u>: Commissioner Nelson moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.

#13-243-645 Gracewood Assisted Living/Franciscan Sisters Site — Conditional use permit for assisted living facility with memory care. 1388 Prior Avenue S., NE corner at Norfolk. (Merritt Clapp-Smith, 651/266-6547)

<u>MOTION</u>: Commissioner Nelson moved the Zoning Committee's recommendation to approve the conditional use permit subject to an additional condition. The motion carried unanimously on a voice vote.

#13-234-671 Associated Bank – Site plan review for a new bank building with drive-thru window. 202 Snelling Avenue North, NE corner at Dayton. (Tom Beach, 651/266-9086 and Josh Williams, 651/266-6659)

Commissioner Nelson reported that the Committee's action taken was to forward this application on to the Planning Commission with no recommendation.

Commissioner Merrigan said that the committee made no recommendation because of information presented at the hearing suggesting that a conditional use permit might be required to increase the surface parking maximum, which has since been determined not to be the case.

Josh Williams, PED staff, provided background on the relationship between the Associated Bank project and development across Dayton at the location of the current Associated Bank building. Once it is ready for occupancy, bank operations would move to the new building, clearing the way for redevelopment of the south block as the Vintage on Selby. The Associated Bank site plan is designed to stand alone. There will be a separate Zoning Committee hearing on the site plan review for the Vintage on Selby project. Mr. Williams noted a mistake in the floor area calculation in the site plan drawing that was originally submitted, which resulted in a mistake in the parking requirement calculation which is based on floor area.

Commissioner Reveal asked if the project is within the surface parking maximum based on the corrected floor area of the building. Mr. Williams replied that is correct.

Commissioner Nelson discussed revisions to the site plan before the commission that address issues raised by the Zoning Committee, one being improved provisions for pedestrians between the parking lot and the building, and another being the design of one of the islands in the parking lot.

Commissioner Perrus made a motion to approve the site plan. Commissioner Reveal seconded the motion.

Commissioner Nelson suggested that the direction of the drive-through lanes should be reversed to avoid the possibility of blocking the handicapped-accessible parking spaces, and discussed testimony regarding concerns he shares about traffic congestion in the area.

Commissioner Nelson proposed an amendment to the motion to add a condition that the applicant understands that modifications to the site plan regarding vehicular and pedestrian traffic circulation may be required once the overall development of the site plan for the adjacent Vintage on Selby project is reviewed.

Commissioner Perrus did not accept that as a friendly amendment to her motion. She said the direction of the drive-through to serve business customers is a business decision, and that procedurally the commission needs to make a decision based on the proposed site plan, not based on a future development that has not been reviewed.

Commissioner Schertler stated his agreement with Commissioner Perrus. He noted that traffic in the area is a macro problem with solutions that are larger than a single development.

Commissioner Ward stated his general agreement with both, but if there is an issue with how the handicap parking is affected by the traffic pattern, that's a site plan issue.

Commissioner Oliver asked about a Travel Demand Management Plan and Traffic Impact Study for the larger project.

Mr. Williams, PED staff, explained that the Travel Demand Management Plan and Traffic Impact Study are focused on the new traffic generated by the Whole Foods and the housing that's being proposed for the Vintage on Selby, and account for overall development. He said the study was complete and under review by staff, and is not necessary for just the smaller bank project.

Commissioner Oliver noted that the second driveway from Dayton is gone on the new site plan, and asked if it is needed without the possible future parking lot to the east.

Mr. Williams said the second curb cut is not needed for the bank. The possible additional parking to the east would not be to serve the Vintage and the Whole Foods or the bank, but rather that it was conceived as a community parking lot. The existing Associated Bank parking lot has more parking than they need, so they have allowed community use of it for businesses in the area. With the proposed redevelopment, that parking would no longer be available. The neighborhood and area businesses have been working with PED staff to develop a plan for additional parking east of the new bank parking lot to provide for the needs of area businesses, but they are not currently willing to take on the cost of the lot.

Commissioner Nelson said he worded his motion the way he did because he doesn't want to slow down the development, but just wanted to make it so that there was still an opportunity to make some modifications to this plan as needed for adjacent development.

Mr. Williams noted that finding #2 indicates 48 spaces in the lot; it is actually 49 spaces, so strike the 48 and replace with 49.

Commissioner Perrus moved to approve the site plan. The motion carried 11-2 (Nelson, Ward) with 1 abstention (Edgerton).

V. Comprehensive Planning Committee

<u>T1-T2 Transit Street Zoning Amendment</u> – Approve resolution initiating study, release draft for public review, and schedule a public hearing for January 10, 2014. (*Hilary Holmes*, 651/266-6612)

Hilary Holmes, PED staff said that the transit street definition was added to the code in 2004 along with Traditional Neighborhood zoning districts, applies only to T1 and T2 districts, and applies to only two provisions. In T2 the Planning Commission may approve a conditional use permit to allow slightly more building height, up to 45 ft. from the normal 35 ft. maximum height, "when the structure is within 600 feet of an existing or planned transit stop on a designated transit street." In T1 and T2 districts, for properties within ¼ mile of a transit street, the minimum required off-street parking for residential uses may be reduced by 25%.

In 2004 when it was added to the code it also applied to a 25% reduction in the parking requirement for nonresidential uses in T1-T2 districts along transit streets. In 2010, commercial off street parking requirements were reduced more than this city-wide and this nonresidential reduction along transit streets became redundant and was deleted.

In 2011 the Central Corridor Zoning Study eliminated all parking requirements within ¼ mile University Avenue. This made the reduced parking requirements for residential uses along University Avenue redundant. It's also redundant along Wabasha and Robert Streets downtown, where there are no parking requirements.

T1-T2 districts are specifically intended for use along transit routes where compact, mixed-use T1-T2 development supports transit use, and where the availability of transit would generally justify a 25% reduction in the residential parking requirement for T1-T2 development. In T3 and T4 districts the minimum parking requirement for residential uses is reduced by 25%. It is

appropriate to do this in T1 & T2 districts, making this provision consistent in T districts generally and simplifying the code.

Comprehensive Plan Policy LU-1.3 is to study T districts to determine how they can accommodate more intense residential development, focusing on density and other development standards. It would be consistent with this to consider providing authority for the Planning Commission to approve a conditional use permit to allow slightly more building height, up to 45 ft. from normal 35 ft. maximum height, in T2 districts generally, rather than just within 600 feet of an existing or planned transit stop on a designated transit street.

Commissioner Ward asked if the draft amendment related to height would change how building height is defined.

Donna Drummond, Planning Director, explained that building height is defined in the code, and is measured from the average around the base of the building, and if there's a pitched roof it's typically measured to the average height between the eaves and ridge.

Commissioner Merrigan said the proposed amendment would not change how building height is defined.

MOTION: Commissioner Merrigan moved on behalf of the Comprehensive Planning Committee to release the draft for public review and set a public hearing on January 10, 2014. The motion carried unanimously on a voice vote.

VI. <u>Strategic Stormwater Solutions for Transit-Oriented Development</u> – Informational presentation by Wes Saunders-Pearce, City of Saint Paul Water Resources Coordinator.

Wes Saunders-Pierce is the Water Resources Coordinator for the City of Saint Paul. Joni Giese, from SRF Consulting, accompanied him. Mr. Saunders-Pierce was at the Planning Commission in April of 2012 providing an informational presentation on the study, which at that time was called the Central Corridor Stormwater Green Infrastructure Plan. The study is now called Strategic Stormwater Solutions for Transit Oriented Development. It's a little broader in applicability and a lot of that has to do with the funding partners. Most of the funding for this study was provided by the Metropolitan Council through the Corridors of Opportunity program and they also received funding from the Mississippi Watershed Management Organization. These funders were looking for ideas and recommendations that would have broad application across the region. In response to this work, Capital Region Watershed District has officially adopted a policy to support shared stacked green infrastructure. The report should be finalized by the end of the calendar year and then will be posted on the PED web site and the Met Council will also be posting the report and all the technical work on their web site.

Commissioner Reveal said water management is a major theme of the West Side Flats planning work. A draft of the plan will be out for public discussion in a month or two. It's an opportunity to demonstrate best management practices in this area and also to get the amenities that they think are necessary to stimulate development.

Commissioner Ward said that the key to making all of this work is identifying partnering opportunities, whether it's infill development on small sites or larger redevelopment areas. It's

important that this happen in the early phases of planning for projects. He spoke in favor of incentives instead of a regulatory approach to promoting these concepts.

Commissioner Edgerton stated that the difficulty of this is ownership, maintenance, and paying for it when facilities are shared. The idea of blurring the ownership lines with a shared facility, including the lines between public and private makes a lot of sense in terms of efficiency. The challenge is those facilities are often going to end up on public property. The real challenge is who pays for this, who owns it, who builds it, who maintains it, who replaces it in 15 years or whatever. In a way it's transferring the cost from the private side to the public side. How will those costs be reallocated to make sure that the public is not taking on a greater cost for these things than previously?

Mr. Saunders-Pearce said those are exactly the things that they wrestled with throughout the course of the project. There's a lot of uncertainly about who's going to pay for it or who's going to own it. The study developed process flow charts to help guide that discussion and show what the options are. They did not identify preferred alternatives as they felt it was not the role of this study. There still needs to be some hard discussions about how this can be implemented and start to move in that direction.

Commissioner Noecker likes the idea of property owners working to figure out how to manage stormwater together. However, development review processes are set up to do the reverse because individual projects come in for review and need to meet these requirements. Perhaps looking at incentives or community education can help people see an advantage in working together on their plans as opposed to just trying to get their building done as quickly as possible.

Mr. Saunders-Pearce said these discussions need to happen very early in a project. It's about timing and also being clearer about how the benefits may support the development, such as open space that can serve as stormwater management.

Commissioner Nelson stated that some of the things mentioned as possibilities like toilet flushing are not allowed by current code, but are there efforts underway that would allow modifying the code to allow grey water to be utilized? Also, Commissioner Edgerton talked about ownership and he thinks about ownership in a different way, because he has been working on some projects in the southwest recently. There ownership means who owns water and you would not be allowed to retain water within your own parcel because somebody else has ownership downstream and who knows with climate change where we're going to end up down the road. We could get to the point where water is very valuable and how does that tie into the whole issue of, we've been concentrating on storage and treatment whereas at some point he can see St. Louis saying, wait a minute, you have to keep that coming down the Mississippi so they get some of it.

Wes said that it is very important to think about climate change and there are very interesting dynamics in the west with water rights. On a different note he said the Lowertown regional ball park is looking at rainwater for harvesting and reuse not only for irrigation but also to bring into the ball park facility for toilet flushing. The questions

posed are things being worked through now and they hope to use that effort to demonstrate where the opportunities and where the challenges are.

VII. Neighborhood Planning Committee

Commissioner Oliver announced the items on the agenda for the next Neighborhood Planning Committee meeting on Wednesday, November 20, 2013.

VIII. Transportation Committee

Commissioner Wang reported that at their last meeting they had two staff reports, one on the Ford Parkway Reconstruction from Snelling to Howell, the other was on integrated parking management strategies. Commissioner Wang also announced the items on the agenda for the next meeting Monday, November 18, 2013.

IX. Communications Committee

No report.

X. Task Force/Liaison Reports

Commissioner Reveal announced that the West Side Flats community open house is Wednesday, November 20, 2013 at the Wellstone Center, 6:30 p.m.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 10:25 a.m.

Recorded and prepared by Sonja Butler, Planning Commission Secretary Planning and Economic Development Department, City of Saint Paul Respectfully submitted,

Donna Trummond

Donna Drummond Planning Director Approved December 6, 2013

(Date)

Daniel Ward II

Secretary of the Planning Commission

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